

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL ASSESSMENT  
REMEDIAL SERVICES DIVISION**

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**REPORT FOR FISCAL YEAR  
2002 – 03**

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# State of Louisiana

## Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO  
GOVERNOR

MIKE D. McDANIEL, Ph.D.  
SECRETARY

OCT 25 2004

The Honorable N. J. Damico, Chairman  
House Committee on Environment  
Post Office Box 44486  
Baton Rouge, Louisiana 70804

Dear Chairman Damico:

On behalf of the Remediation Services Division (RSD) of the Louisiana Department of Environmental Quality (LDEQ), I am pleased to submit to you the Hazardous Waste Assessment Report as required by R.S. 30:2226H(2).

In addition to the required inactive and abandoned site lists, this report provides information regarding the RSD Voluntary Remediation and Brownfields Programs, its use of dedicated state remediation funds, its implementation of an Underground Storage Tank Corrective Action Plan High Cost Panel, and its involvement in new regulations for the division. Discussions of other RSD site activities during fiscal year 2002-03 are also included. Finally, I am also pleased to report that site remediation work was completed at eighty-four (84) sites statewide during last fiscal year.

Sincerely,

Mike D. McDaniel, Ph. D.  
Secretary

ef

Enclosure

cc: House Committee on the Environment  
Senate Committee on Environmental Quality





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## Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO  
GOVERNOR

MIKE D. McDANIEL, Ph.D.  
SECRETARY

OCT 25 2004

The Honorable Clo Fontenot, Chairman  
Senate Committee on Environmental Quality  
Post Office Box 94183  
Baton Rouge, Louisiana 70804

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## EXECUTIVE SUMMARY

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This annual report, prepared by the Louisiana Department of Environmental Quality (LDEQ) Remediation Services Division (RSD), serves to provide a brief overview of the division's 2002-2003 program activities and site remediation accomplishments. It also serves as a vehicle for submission of the site lists required by the Louisiana Legislature in R.S. 30:2226H. This year's report provides an updated map and list of the sites that were completed during the past fiscal year (Appendix A). Also included are reports on some of the prominent site cleanup projects for 2002-03 and an annual update of the National Priorities List (NPL) sites in Louisiana.

Significant program activities for the RSD during fiscal year 2002-03 included: entrance of several new properties into the RSD's Voluntary Remediation Program (VRP), and completion of three property remediation projects under the VRP; nationwide recognition of a brownfields redevelopment project in New Orleans; the award of cooperative agreements to the cities of Baton Rouge and Westwego for USTfields redevelopment projects; preparation for award of federal brownfields funds to the RSD for state program development and a new brownfields revolving loan fund; initiation of the first project funded by the state abandoned underground storage tank fund; implementation of an underground storage tank corrective action plan high cost panel; and development of new rules for notification of releases, prioritization of hazardous and non-hazardous sites that are candidates for state funding, and the Risk Evaluation and Corrective Action Program (RECAP).

Also during 2002-03, the RSD continued efforts to refine and improve its internal site remediation process, and to prioritize and issue site remediation contracts funded by the Hazardous Waste Site Cleanup Fund. Finally, the RSD continued its work with the EPA Region 6 Superfund program and provided state match funding for Superfund site remediation, long-term monitoring, and expedited removal action at several Louisiana sites.

# **VOLUNTARY REMEDIATION PROGRAM AND BROWNFIELDS PROGRAMS**

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## **VOLUNTARY REMEDIATION PROGRAM**

During fiscal year 2002-03, the RSD continued administering the Voluntary Remediation Program, in accordance with the Louisiana Voluntary Remediation Regulations, which were effective in April 2001. Through the VRP and the regulations, the RSD is providing administrative, technical, and legal incentives to facilitate voluntary cleanups to encourage the redevelopment and reuse of contaminated properties. These regulations offer releases of liability, in the form of Certificates of Completion, for past cleanup costs to eligible property owners, in exchange for the participants' voluntary property remediation. The regulations employ land use restrictions and institutional controls to match cleanup goals to specific future property uses. This saves cleanup dollars and makes redevelopment of brownfields properties economical. Through this program, properties that are abandoned or otherwise idled due to contamination are put back into productive use.

The RSD also continued to work closely with the EPA throughout this year to obtain federal recognition of the Louisiana VRP in the form of a Memorandum of Agreement (MOA). Under this agreement, the EPA generally would not pursue a property owner whose cleanup has been approved under the state program. Negotiations with EPA Region 6 were re-opened and completed during fiscal year 2002-03, and Region 6 forwarded the MOA to EPA headquarters again seeking final approval.

Eleven additional properties entered the Louisiana VRP during this fiscal year – bringing the total number of properties participating in the program to twenty-eight, as of June 2003. Three properties received Certificates of Completion during this year. These properties were the American Creosote property in Metairie, and the new Shreveport Convention Center Phase 1 and 2 properties. The Shreveport properties will be the site of a new, state-of-the art convention center and hotel serving downtown Shreveport and the



surrounding area. This cleanup involved railway and power plant-related contamination and remediation of Civil-War era industrial contamination.

### **BROWNFIELDS PROGRAM ACTIVITIES**

Interest in local level participation in the EPA Brownfields program continued to grow during this fiscal year in Louisiana, and the RSD continued to work closely with the existing local brownfields programs. Technical assistance for assessment and cleanup of brownfields properties was provided by the RSD to all of the local programs. The South Central Planning Commission initiated its new brownfields program in October 2002. In June 2003, the EPA announced award of four new grants to Louisiana communities, totaling \$675,000. The city of Baton Rouge received \$475,000, and the city of West Monroe received \$200,000. These funds will be utilized for several new projects, resulting in construction and redevelopment of properties and the creation of new jobs.

In August 2002, EPA announced its national Phoenix Awards for Excellence in Brownfield Redevelopment. This prestigious award honors individuals and groups who work to solve the critical environmental problem of transforming abandoned industrial areas into productive new uses. The 2002 Phoenix Award recipient for EPA Region 6 was the American Can Renewal Project in New Orleans. Located in the mid-city area of New Orleans, the American Can Company site was one of the first sites to be remediated under the LDEQ VRP. The American Can Company was a can manufacturing plant until its closure in 1988. It consisted of a complex of six buildings with associated facilities, such as adjoining metal buildings, loading docks, and connecting rail lines. Constructed between 1907 and 1929, the American Can property is listed on the National Register of Historic Places. The Louisiana Voluntary Remediation Program provided a mechanism for this former manufacturing facility to be voluntarily cleaned up and redeveloped into an apartment and retail shopping complex consisting of 268 apartments and 19,000 square feet of retail space. This redevelopment has been identified by the city of New Orleans as a pivotal parcel whose restoration will serve to transition and stabilize a deteriorating neighborhood.

Another highlight of the RSD's work with the local brownfields programs for 2002-03 was the first annual Louisiana Brownfields Workshop, which the RSD hosted in partnership with EPA Region 6 and the University of New Orleans. The purpose of this workshop was to provide new information to the local brownfields programs, and to allow them to exchange ideas and share accomplishments. Experts in brownfields redevelopment were the featured speakers. The workshop was well attended, as representatives from all of the local programs participated, and all agreed that this workshop was very beneficial. This was the first workshop of its kind to be held in the five-state EPA Region 6.

### **USTFIELDS PROGRAM**

In August 2002, the RSD received notification from EPA Region 6 that two grant awards would be made to the state of Louisiana, for projects in Baton Rouge and Westwego, under the new USTfields program initiative. During the previous year, the RSD had received competitive proposals from five of Louisiana's local brownfields programs. After screening and evaluation, three project proposals (the maximum allowable) were submitted by the LDEQ to the EPA. Nationwide the EPA awarded funding at a maximum of \$100,000 each for 40 projects.

In the fall of 2002, the RSD executed cooperative agreements with each of the cities to clean up the North Boulevard Expansion Project property in Baton Rouge, and the former Clems Service Station property in Westwego. Progress toward cleanup of these properties was initiated during 2002-03. The North Boulevard project will expand the existing thoroughfare and add an overpass. It is expected to greatly stimulate economic development in the surrounding area near downtown Baton Rouge. The city of Westwego began the task of acquiring the Clems property, and plans to build a modern governmental complex, which would house city government and perhaps other local or state governmental agencies.

## **UPDATE ON FEDERAL BROWNFIELDS FUNDING FOR RSD**

In January 2002, the Small Business Liability Relief and Brownfields Revitalization Act (“Brownfields Law”) was signed into law. This amended the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) by adding Section 128(a). This Act defined brownfields sites more broadly, and it authorized grant-funded activities at certain petroleum-contaminated sites. Section 128(a) also authorized a \$50 million grant program to establish and enhance state brownfields response programs. EPA guidance regarding application for both the state response program (SRP) funding and the funding for assessments, revolving loan funds (RLF) and cleanup grants was released in November 2002.

During FY 2002-03, the RSD began development of its proposal to EPA Region 6 for new brownfields SRP funds and for initial capitalization of a brownfields RLF. Following negotiations, formal applications for each of these programs were under development at the end of FY 2002-03, and the RSD anticipates notification of these awards in the fall of 2003. The RSD requested approximately \$460,000 for the new SRP and \$350,000 for initial capitalization of the state brownfields RLF.

## **SITE REMEDIATION SUCCESSES**

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During fiscal year 2002-03, a No Further Action (NFA) was issued for eighty-four (84) sites under the RSD jurisdiction. This means that all work at these sites has been completed and the RSD has concluded that no further remediation work is needed based on their current condition and use. These eighty-four (84) sites include: thirty-four (34) underground storage tank sites; twenty-five (25) solid waste sites; fourteen (14) groundwater sites; eight (8) IAS confirmed sites; two (2) IAS potential sites; and one (1) hazardous waste site. A statewide map indicating the number of completed sites by parish and a site list providing details about the NFAs issued is provided in Appendix A.

Highlights of several recent RSD site remediation efforts and successes are described in the following paragraphs.

**AMERICAN CREOSOTE** The American Creosote site, located near the Orleans / Jefferson Parish line, was a creosote wood treating facility from 1909 to 1958. After closure of the plant, the land was purchased and converted into an industrial park. In 1996, free-phase creosote in the culvert system was found during excavation to expand the industrial park. This halted excavation until a Risk Evaluation/Corrective Action Program (RECAP) investigation was completed and changes in the culvert system were made to conform to RECAP standards. The property owners then joined together and were one of the first groups to enroll in and complete the phases of the VRP. In June 2003, the property owners received their VRP Certificate of Completion.

**BURT'S CHEVRON** LDEQ became aware of a release associated with Burt's Chevron during property transfer assessment of nearby commercial property. After the owner refused to abide by the decision of the Administrative Law Judge to uphold LDEQ's Compliance Order to force cleanup, LDEQ exercised the R.S. 30:2195(F). Burt's Chevron was the first facility in the state to meet the criteria defined within the statute and be prioritized for funding of assessment and remediation.



**MANVILLE FOREST PRODUCTS PLANT 94** The Manville Forest Products Plant 94, located in Shreveport, was dismantled and cleaned of process sludge and impacted soils in 1984. Riverwood International Corporation and Olin Corporation entered into a cooperative agreement with LDEQ to investigate and clean up the site. 31 acres of the 37-acre site will be limited to commercial or industrial development. The remaining six acres, containing the capped excavated soil, will be subject to LDEQ restrictions and post closure monitoring to assure integrity of the cap. The groundwater remedy selected was long-term monitoring with a notice recorded in the parish conveyance records prohibiting use of on site groundwater.

**KANSAS CITY SOUTHERN, SCENIC HIGHWAY SITES** The Kansas City Southern, Scenic Highway Sites, consist of three adjacent inactive and abandoned facilities. This property is owned by Kansas City Southern Railway Company (KCS) and leased to commercial operators. The Charlotte Chemical Site became inactive in 1993. Between 1994-1996 KCS performed source removal actions and remediated settling ponds to background levels at this site. LDEQ granted regulatory closure in 1998. Although sources were removed, there was still a concern over potential soil and/or groundwater contamination. KCS responded to this concern by conducting a site RECAP investigation. Results of investigation confirmed all constituents of concern were below non-industrial (residential) RECAP standards. In January 2003, LDEQ issued a No Further Action – at this time determination.

Export Drum and Western Petroleum Chemical Co. are the other two sites located on KCS property. The Export Drum portion of the property was used for drum recycling. Because the landowner and the EPA Superfund program previously investigated the property, a RECAP evaluation of the historical data was completed. Remedial actions, including removal of containment structures, underground piping, and all impacted soils and sediments to an off-site disposal facility, were conducted between July and September of 2002 until RECAP standards had been met. The Western Petroleum Chemical site, just north of the Export Drum Site, was an oil recycling facility. This site was closed using a mixed approach. Certain AOIs on the property were closed according

to RECAP commercial/industrial standards and others according to non-industrial (residential) standards. This approach was taken to facilitate re-development.

**SPEEDWAY FACILITY #152** The Speedway Facility in Lafayette has always been operated as a gasoline and diesel service station. This has been the site of several fuel releases. Many assessments and corrective actions occurred between 1993 and 2002. The Area of Investigation (AOI) was closed in 2000 under RECAP and was monitored under the UST Motor Fuels Trust Fund Program. Latest sampling confirms the constituents of concern (COC) do not exceed established standards.

**THE DEFENSE NATIONAL STOCKPILE** The Defense National Stockpile in Baton Rouge site was used as a storage facility for antimony, bauxite, tin, and lead for about 56 years by the Department of Defense. Prior to termination of the lease with the property owner, remedial activities were necessary. With LDEQ providing oversight, all phases of remediation were completed in August 2002. A No Further Action – at this time determination was issued on December 4, 2002.

**NEALE COMPRESSOR PLANT SITE** The Neale Compressor site in Merryville was contaminated with asbestos-containing material and hydrocarbon liquid from compressor engines. In phase one of remediating this site, LDEQ awarded a state contract to conduct asbestos abatement, which was completed in October 2002. Phase two will consist of negotiating a cooperative agreement with the responsible party to conduct surface and subsurface soil, and groundwater investigations.

Appendix B contains detailed summaries of these highlighted sites, along with photographs.

## SITE PRIORITIZATION

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The RSD and Environmental Technology Division (ETD) are responsible for a universe of sites that includes inactive and abandoned hazardous waste sites, hazardous substance sites, solid waste sites, underground storage tank sites, groundwater sites, and hazardous waste facilities requiring corrective action. In order to ensure effective remediation efforts, the RSD and ETD must follow a process to prioritize work based on risk to human health and the environment, LDEQ goals, and available resources. The RSD and ETD operate under a standard operating procedure for evaluating, classifying, and prioritizing remediation sites. This process is part of the site remediation sub-process, called Triage.

During Triage, the Operations Group - which consists of the RSD and ETD administrators, technical advisors, section heads, a legal advisor and a public relations advisor - review, evaluate, classify, prioritize, and assign sites to RSD and ETD team leaders. The team leaders are the point of contact for all issues regarding their assigned sites. Site classification and prioritization are key elements in effectively managing work in the site remediation process.

Classification involves determining the group to which a site belongs, based on threat to human health and the environment. The RSD/ETD process employs four classification groups:

- Group 1 – Immediate threat to human health or the environment

- Group 2 – Short-term threat to human health or the environment

- Group 3 – Long-term threat to human health or the environment

- Group 4 – Low Likelihood of threat to human health or the environment

The Operations Group determines how sites are classified using the established criteria for each group.

In the event of the identification of a Group 1 site – a high priority site – RSD/ETD team leaders take aggressive action to mitigate all immediate health or environmental threats. Once the immediate threats are mitigated, the Group 1 site is then further categorized, as are the sites that fall into Groups 2, 3, or 4, based on the availability of funding (category A if funding is available, and category B if funding is not available). The majority of sites that are classified within the site remediation process fall into Groups 3 and 4.

Once sites are classified and prioritized, a remediation decision process is then utilized to determine the appropriate regulations and administrative documents to be employed for regulatory oversight, funding, and cost reimbursement (depending on funding source).

The availability of state and federal funding sources for site remediation varies according to the regulatory programs governing a site. For example, for underground storage tank (UST) sites there are several potential tracks that could be followed, depending on the circumstances relating to a specific site. The RSD/ETD operations group reviews Minimum Data Sets (MDS) to determine the proper track. The first determination regarding funding for underground storage tank sites is whether they are trust fund eligible, meaning that if the site has maintained compliance with the regulations, the state Motor Fuels Trust Fund (TF) may be utilized to pay for cleanup. However, if an UST is abandoned and no financially viable responsible party is identified, the abandoned tank site may be eligible for cleanup with funding from a dedicated state fund. As of July 2001, all interest earned by the TF has been dedicated for the closure of abandoned motor fuel USTs and the assessment and remediation of property contaminated by abandoned motor fuel USTs. As of June 2003, approximately forty (40) sites have been prioritized for use of these funds.

The dedicated state Hazardous Waste Site Cleanup Fund can be utilized for assessment, investigation and remediation of abandoned hazardous and non-hazardous sites that are determined to be priority sites in accordance with regulations that were promulgated by the LDEQ during fiscal year 2002-03. However, because of the limitation of available funding from the HWSCF, the LDEQ also works with EPA Region 6 to prioritize Louisiana sites for removal actions where no financially viable responsible party can be



identified. Of course the state of Louisiana competes with all other states (four) in Region 6 for its use of limited removal funding.

This standardized process of site prioritization has proven to be an effective approach for proper management of site remediation work, serving to help ensure that limited state and federal funds are efficiently utilized.

## USE OF DEDICATED STATE REMEDIATION FUNDING

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### HAZARDOUS WASTE SITE CLEANUP FUND

During FY 2002-03, the RSD continued to provide state match funding for site remediation and long-term monitoring for five Superfund sites in Louisiana. The LDEQ also executed two new Superfund site agreements with EPA Region 6 for site remediation and long-term monitoring at the Central Wood Preserving site and the Mallard Bay Landing site during FY 2002-03. At all of these sites, the LDEQ has committed to provide ten percent state match funding to the EPA for site remediation. Once site remediation is completed, the LDEQ will acquire full responsibility for the long-term monitoring phase, as specified in each agreement. The long-term monitoring phase of the Superfund site remediation process, called Operation and Maintenance (O & M), will continue to be the state's full responsibility to fund and implement for these Superfund sites for several years.

For the American Creosote, Delatte Metals, Central Wood Preserving, and Mallard Bay Landing sites, the LDEQ is providing ten percent state matching funds for site remediation. Additionally, LDEQ continued O & M work at the Bayou Bonfouca site and the Madisonville Wood Preserving site through FY 2002-03. RSD staff also continued to oversee the monitoring work being performed at the Southern Shipbuilding site during this fiscal year.

A removal action contract was also executed between the LDEQ and EPA Region 6 during FY 2002-03 for the Coastal Radiation site. This removal agreement provides that the LDEQ will pay \$81,000 toward the estimated \$4.5 million needed for removal work at this site. The LDEQ's commitment to provide matching funds led to immediate action by EPA Region 6 to conduct this removal work for protection of human health and the environment.

For all of these state expenses for O&M and state match for EPA Superfund site remediation removal work, the LDEQ's revenue source is the Hazardous Waste Site Cleanup Fund (HWSCF).

Also during FY 2002-03, the RSD continued executing new site contracts issued through the two-step remediation services procurement, funded by the HWSCF. The first step of this two-step procurement process established a competitive range of contractors who met or exceeded the LDEQ's minimum requirements for company experience, personnel qualifications and other resources, project management methodology, and financial responsibility. As a result, eligible contractors provided bids on site remediation projects issued by the LDEQ, and contracts were awarded expeditiously through the sealed bidding process based upon price and responsiveness to the Invitations to Bid (ITB) documents (step two). During FY 2002-03, work was performed at the Neale Compressor site and the Stevens site through remediation services contracts.

### **ABANDONED UNDERGROUND STORAGE TANK FUND**

In addition to the HWSCF, the LDEQ RSD continued to utilize the new dedicated fund established in FY 2001-02 for closure of abandoned motor fuel USTs and the assessment and remediation of property contaminated by abandoned motor fuel USTs.

Over 500 known leaking UST sites have been screened, and as of June 2003, approximately 40 sites have been prioritized for use of this fund. These sites have been prioritized based on their numerical ranking and will be addressed in response to the level of risk posed to public health and the environment.

Concurrent with abandoned UST site identification, eligibility determination, and ranking, the LDEQ worked with the Division of Administration's Office of State Purchasing, and initiated a two-step UST remediation services procurement. This procurement, modeled after the two-step HWSCF remediation services procurement, provides for tank removal and site remediation. Abandoned UST sites will be addressed in the future based upon their priority and the availability of TF interest monies through contracts executed from this two-step procurement.

The first abandoned motor fuel UST site to be addressed with the new dedicated state fund is Burt's Chevron. Its priority was established and the Secretary of LDEQ issued an emergency declaration. Site work was initiated in December 2002. As of June 2003, this site was nearing completion of the initial site investigation work. Risk evaluation and interim corrective action work will be conducted during the upcoming fiscal year. Completion of these activities is anticipated by September 2004. Following completion, it is anticipated that abandoned UST funds will be used to implement additional corrective action designed to mitigate the contamination identified in the site investigation.

Through the use of state revenue sources such as the Hazardous Waste Site Cleanup Fund and the Abandoned Underground Storage Tank Fund, the RSD can continue addressing priority sites throughout the state based on risk to human health and the environment.



## **UNDERGROUND STORAGE TANK CORRECTIVE ACTION PLAN HIGH-COST PANEL**

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The Department of Environmental Quality's Environmental Technology (ETD) and Remediation Services Divisions (RSD) are currently providing regulatory oversight at over five hundred leaking UST sites statewide. Most of these sites will require some degree of cleanup to protect public health and the environment.

The Louisiana Motor Fuels Underground Storage Tank Trust Fund (TF) was established to provide financial aid to parties responsible for providing remediation at these contaminated sites. Funding for the TF is provided by a 0.8 cent per gallon assessment on motor fuel sold for retail use.

In order to ensure cost-effective use of the TF, the UST Corrective Action Plan High-Cost Panel was formed. The panel consists of individuals with the technical expertise and extensive experience necessary to evaluate these complex and technical proposals for site cleanup. All corrective action plans with proposed costs exceeding \$150,000 or plan modifications that drive total cleanup cost above \$450,000 require panel review and approval. Panel participation enables the sixty-five (65) ETD and RSD team leaders responsible for regulatory oversight of these facilities to make consistent, cost-effective decisions in the selection and application of sophisticated and expensive remediation systems.

## **NEW REGULATIONS FOR RSD**

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### **NOTIFICATION PROCEDURES FOR INACTIVE OR UNCONTROLLED SITES**

This rule revises the procedures for notifying the department of the discovery of a discharge or disposal of any hazardous substance at an inactive or uncontrolled site, for consistency with the notification procedures required by all other department regulations. Reporting to the department's single point of contact is required by this regulation, making the Inactive and Abandoned Hazardous Waste and Hazardous Substance Site Remediation regulations consistent with all other department regulations with regard to release/discharge reporting. This rule was published as final on August 20, 2002.

### **PRIORITIZATION OF HAZARDOUS AND NON-HAZARDOUS SITES FUNDED BY THE HWSCF**

In accordance with R.S. 30:2205D as enacted during the 2002 extraordinary legislative session, the LDEQ promulgated regulations that provide for prioritization of both hazardous and non-hazardous sites for assessment, cleanup and associated costs to be funded by the HWSCF. The regulations set standards for site prioritization by a numerical ranking system based on the availability of money within the fund, health risks, groundwater and surface water contamination, site owner/operator financial abilities, owner/operator recalcitrance or refusal to comply with department-required actions, and the determination by the Secretary that the fund should be used to facilitate actions in a timely manner to abate emergency situations. These regulations were first proposed in January 2003, and became effective on May 20, 2003.

### **PUBLIC NOTIFICATION OF CONTAMINATION**

This rule establishes procedures for notifying persons who are likely to be adversely affected by a release. This applies to releases that exceed the applicable federal or state health and safety standards and that pose a risk of adverse human health effects.

Executive Order MJF 2001-46 mandated that all agencies affected by the Order adopt rules to notify persons who may be exposed to environmental contamination.

This rule was proposed on April 20, 2003. A public hearing was held May 27 with comments closing on June 3. Comments have been summarized and a staff work group has drafted responses. The rule is expected to go to legislative oversight in September, and be promulgated as final on September 20, 2003.

## **RECAP REVISIONS**

The RECAP revisions provide clarification, reorganization, and corrections to text, tables, figures, and appendices of the RECAP regulations that were promulgated in December 1998 and revised in June 2000. The third revision to RECAP was proposed on December 20, 2002. The comment period ended March 20, 2003, and the rule is scheduled to be published as final in October 2003. Clarifications of text enhance the reader's understanding of the content of the regulations. Corrections to errors and reorganization of text improve the RECAP regulations and help the regulated community in understanding of the regulations.

These rule revisions also help ensure that a consistent method based on sound scientific principles is used for addressing site contamination, and continue to serve as a standard tool to assess impacts to soil, ground water, surface water, and air. The RECAP revisions serve to establish uniformity for submitters in the program to minimize the time and money necessary to identify corrective action levels for constituents of concern at a contaminated site. This should encourage voluntary and expeditious remediation.